

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

WEH205

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/868887

INTERNATIONAL APPLICATION NO.

PCT/DE99/04102

INTERNATIONAL FILING DATE

17 DECEMBER 1999

PRIORITY DATE CLAIMED

21 DECEMBER 1998

TITLE OF INVENTION

CARDIO VASCULAR PROSTHESES WITH A STABLE ENDOTHEMAL CELE SURFACE

APPLICANT(S) FOR DO/EO/US

MANRICO PAULITSCHKE, AXEL RADEMACHER, MICHAEL SITTINGER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.51)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER																										
09/8688		PCT/DE 99/04102		WEH205																										
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>				CALCULATIONS PTO USE ONLY																										
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>21 - 20 =</td> <td>1</td> <td>X \$18.00</td> <td>\$ 18.00</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td></td> <td>X \$80.00</td> <td>\$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$270.00</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 878.00</td> </tr> </tbody> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> <p style="text-align: right;">SUBTOTAL =</p>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	21 - 20 =	1	X \$18.00	\$ 18.00	Independent claims	1 - 3 =		X \$80.00	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	TOTAL OF ABOVE CALCULATIONS =				\$ 878.00	<p>\$ 860.00</p> <p>\$</p> <p>\$ 18.00</p> <p>\$</p> <p>\$</p> <p>\$ 878.00</p> <p>\$ 439.00</p> <p>\$ 439.00</p>	
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TOTAL OF ABOVE CALCULATIONS =				\$ 878.00																										
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p style="text-align: right;">TOTAL NATIONAL FEE =</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</p> <p style="text-align: right;">TOTAL FEES ENCLOSED =</p>				<p>\$</p> <p>\$</p> <p>\$</p> <p>\$ 439.00</p>																										
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>				<table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <tr> <td style="width: 50%;">Amount to be refunded:</td> <td style="width: 50%;">\$</td> </tr> <tr> <td>charged:</td> <td>\$</td> </tr> </table>		Amount to be refunded:	\$	charged:	\$																					
Amount to be refunded:	\$																													
charged:	\$																													
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0224</u>. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Fees are to be charged to a credit card Form PTO-2038 is enclosed.</p>																														
<p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Horst M. Kasper 13 Forest Drive Warren, N.J 07059</p> </div> <div style="width: 45%; text-align: right;"> <p>SIGNATURE: </p> <p>NAME Horst M. Kasper</p> <p>28,559</p> <p>REGISTRATION NUMBER</p> </div> </div>																														



06-21-01

JC17 Rec'd PCT/PTO

09/868887
20 JUN 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Manrico Paulitschke et al.

Serial No:

Art Unit:

Filing Date:

Title: CARDIOVASCULAR PROSTHESES WITH A STABLE ENDOTHELIAL CELL SURFACE

Examiner:

Priority Application: Germany, No.: 198 60 286.3

Priority Filing Date: 21 December 1998

PCT Application no: PCT/DE99/04102

PCT Application filing date: 17 December 1999

June 19, 2001

Attorney's Docket No.: WEH205

TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks

BOX PCT

Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

<X> Form PTO-1390

<X> Copy of the PCT application No. PCT/DE90/04102 as filed (13 pages of the specification and 1 drawing sheet)

<X> English Translation of PCT application No. PCT/DE90/04102 as filed (16 pages of the specification and 1 drawing sheet)

<X> Copy of the PCT application No. PCT/DE90/04102 as published, publication No. WO 00/37123, (11 pages and 1 drawing sheet)

<X> Copy of International Preliminary Examination Report (5 pages)

<X> Preliminary Amendment dated March 26, 2001 (3 pages)

Basic fee: \$860.00

TOTAL CLAIMS: 21 - 20 = X \$ 18.00 = \$ 18.00

INDEPENDENT CLAIMS: 1 - 3 = X \$ 80.00 = \$

<X> Applicant claims small entity status. The fees indicated above are reduced by 1/2

<X> Request to Accept Patent Application for Entering U.S. National Phase under 35 USC § 371

<X> Claim of Priority

<X> Form PTO-1449 <X> Copy of the International Search Report and references cited therein

<X> Fees are to be charged to a credit card. Form PTO-2038 is enclosed

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, and 1.17, after a mailing of a Notice of Allowance under 35 USC 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

() Please charge my Deposit Account No.11-0224 in the amount of \$ _____. A duplicate copy of this sheet is enclosed. A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059
Reg. No. 28,559 Tel.(908)526-1717

Express Mail Certification: I hereby certify that the correspondence attached hereto is being deposited with the USPS "Express Mail Post Office to Addressee" on the date indicated below and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231,

Deposit Date: 12th JUN 2001 "Express Mail Mailing Label No": TB 417241495 US

Signature:  Date: 12th JUN 2001

*%Pc1:d:trans1(WEH205T1(June 19, 2001(tm